



3736m

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dodds Examiner: M. Astori
Serial No. 09/432,851 Group Art Unit: 3736
Filed: November 2, 1999 Docket No. 17928-21
Title: ANIMAL HEALTH DIAGNOSIS

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this correspondence and identified enclosures are being deposited with the United States Postal Service, first class mail, postage prepaid, under 37 C.F.R. 1.8 on the date indicated, and is addressed to the Commissioner for Patents, BOX: Non-Fee Amendment, Washington, D.C. 20231 on February 28, 2001.

Justina S. Townsend

RESPONSE TO OFFICE ACTION DATED 01/30/01

BOX: Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action mailed January 30, 2001, kindly enter the following amendments:

Applicant selects with traverse claims 1-4 and species 1, namely claims 5-7.

It is submitted that conceptually, in order to effectively search the technology of the present invention it will be necessary to search all the species. The invention is directed to profiling an animal by obtaining the genetic data of the animal and a health assessment of the animal and combining that data or the health assessment data with different characteristics to produce a report including evaluation of the health, disease or disorder probabilities and longevity of the animal.

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To divide the application into these multiple species is simply to burden the Applicant with a need to file multiple applications and, moreover, to burden the public in requiring a review of multiple patents.

In the result, for the Examiner to affect an appropriate search, it would be appropriate for the Examiner to be searching characteristics relating to genetic data and health assessment, which would include the temperament and longevity, immune, stimulation and cellular inflammatory response, inherited organ dysfunction and dysplasia, autoimmune thyroiditis, mammary cancer and inherited bleeding disorders.

The Examiner is requested to reconsider the election of species and to withdraw the request for this election and to perform a search on all of claims 1-25.

Reconsideration of the above application is respectfully requested.

In view of the above, it is submitted that this application is now in good order for allowance, and such early action is respectfully solicited. Should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney.

Respectfully submitted,



Charles Berman
Reg. No. 29,249

Date: February 28, 2001

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